

73049-326

12/11/2003

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

DEC 11 2003

Ms. Janis K. Sharp, Ph.D.
Valent BioSciences Corp.
870 Technology Way
Libertyville, IL 60048

**Subject: Amendment Updating First Aid per PR Notice 2001-1
Permanone® Aqueous Indoor Fogger
EPA Reg. No. 73049-326
Your Submission Dated September 11, 2003**

Dear Dr. Sharp:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable subject to the comments below. Two copies of the finished labeling must be submitted prior to releasing the product for shipment. A stamped copy of the label is enclosed for your records.

1. Revise the "Hazards to Humans & Domestic Animals" section to read as follows:

"CAUTION. Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco." [NOTE: This labeling is based on the product's classification as a category III eye irritant.]

2. In "Step 2: ACTIVATION OF FOGGER" under "How to Use", delete the sentence "Do not place can within 6 feet of pilot lights", since it conflicts with the requirement to turn off all pilot lights and could potentially confuse consumers.

3. In the "Disclaimer of Warranties", delete the word "whatsoever" from the statement regarding "special, incidental or consequential damages." The revised statement should read "Valent BioSciences Corporation disclaims any liability for special, incidental or consequential damages resulting from the use or handling of this product."

If you have any questions regarding this action, please contact Susan Stanton of my team at (703) 305-5218.

Sincerely,



George T. LaRocca
Product Manager (13)
Insecticide Branch
Registration Division (7505C)

Enclosure

PERMANONE® AQUEOUS INDOOR FOGGER

- A PERMANONE® INSECTICIDE
- FOR USE IN APARTMENTS, ATTICS, BASEMENTS, BOATS, BOX CARS, CABINS, CAMPERS, CLOSED BARNs, GARAGES, HOMES, HOUSEHOLD STORAGE AREAS, KENNELS, PET SLEEPING AREAS, ROOMS, SCHOOLS, THEATERS, TRUCKS, WAREHOUSES, AND NON-FOOD AREAS OF HOTELS, INDUSTRIAL PLANTS, MOTELS, SCHOOLS, WASHROOMS.
- KILLS EXPOSED OR ACCESSIBLE STAGES OF THESE INSECTS: ANTS, CARPET BEETLES, COCKROACHES, CRICKETS, EARWIGS, FLEAS, MOSQUITOES, PALMETTO BUGS, PILLBUGS, RICE WEEVILS, SAWTOOTHED GRAIN BEETLES, SILVERFISH, SMALL FLYING MOTHS, TICKS, SPIDERS, WASPS, WATERBUGS AND YELLOWJACKETS.

**ACCEPTED
with COMMENTS
In EPA Letter Dated:
DEC 11 2003**

ACTIVE INGREDIENT:

Permethrin* 0.5 %
OTHER INGREDIENTS: 99.5 %
100.0 %

Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under EPA Reg. No. 73049-326

*Cis/trans ratio: max 55% (+/-) cis and min. 45%(+/-) trans.

PRECAUCION AL CONSUMIDOR: Si usted no lee Ingles, no use este producto hasta que la etiqueta le haya sido explicada ampliamente.
(TO THE USER: If you cannot read English, do not use this product until the label has been fully explained to you.)

EPA REG. NO. 73049-326

EPA EST. NO.

KEEP OUT OF REACH OF CHILDREN

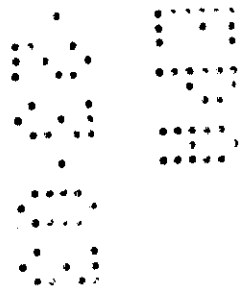
CAUTION

FIRST AID	
If in eyes:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
HOT LINE NUMBER	
<p>Have the product container or label with you when calling a poison control center or doctor, or going for treatment. In case of medical emergencies or health and safety inquiries or in case of fire, leaking or damaged containers, information may be obtained by calling 1-877-315-9819.</p>	

See Rear Panel For Additional Precautions

NET CONTENTS:

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PRECAUTIONARY STATEMENTS Hazards To Humans & Domestic Animals

CAUTION

Avoid contact with eyes. Wash thoroughly with soap and water after handling.

Physical and Chemical Hazards

Contents under pressure. Do not use or store near heat or open flame. Do not puncture or incinerate container. Do not place on stove or radiator. Exposure to temperatures above 130°F may cause bursting.

[flame graphic] **Highly Flammable Ingredient**
Ingrediente Altamente Inflamable

This product contains a highly flammable ingredient. It may cause a fire or explosion if not used properly. Follow the "Directions for Use on this label very carefully.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

One 6 ounce aerosol can treats up to 6,000 cubic feet of unobstructed area (a room 30' x 25' with an 8 foot ceiling).
For *Fleas* and *Ticks*, use one 6 ounce can for every 1,500 cubic feet of room space.

One 12 ounce can treats up to 12,000 cubic feet of unobstructed area (a room 50' x 30' with an 8 foot ceiling).

Do not use in food/feed areas of food/feed handling establishments, restaurants or other areas where food/feed is commercially prepared or processed. Do not use in serving areas while food is exposed or facility is in operation. Serving areas are areas where prepared foods are served such as dining rooms but excluding areas where foods may be prepared or held.

In the home, cover all food handling surfaces and cover or remove all food and cooking utensils, or wash thoroughly after treatment. Cover or remove exposed food.

Non-food/feed areas of food/feed establishments are areas such as garbage rooms, lavatories, floor drains (to sewers entries and vestibules), offices, locker rooms, machine rooms, boiler rooms, garages, mop closets and storage (after canning or bottling).

HOW TO USE:

Step 1: PREPARATION

Open cupboards, cabinets, trunks, and doors to area to be treated to allow maximum kill in all areas where insects can hide and breed. Close outside doors and windows and shut off fans and air conditioning to maximize killing power of fog. Remove pets, birds, and tightly cover or remove fish bowls and aquariums, before spraying. Remove or cover exposed foods, dishes, utensils or food handling equipment. Cover all food processing surfaces during treatment or thoroughly clean before using. Shut off electrical appliances.

DO NOT use more than one fogger per room. DO NOT use in small, enclosed spaces such as closets, cabinets or under counters or tables. Do not use in a room 5 ft. x 5 ft. or smaller; instead, allow fog to enter from other rooms. Turn off ALL ignition sources such as pilot lights (shut off gas valves), other open flames or running electrical appliances that cycle off and on (i.e., refrigerators, thermostats, etc.). Call your gas utility or management company if you need assistance with your pilot lights.

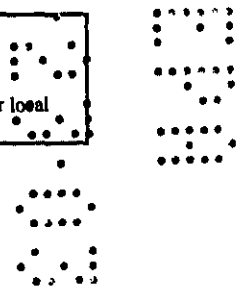
Step 2: ACTIVATION OF FOGGER

SHAKE WELL JUST BEFORE USING. Place a section of newspaper on a level raised surface such as a stand or table in the center of room to be treated. Do not place can within 6 feet of pilot lights. Tilt can opening away from face and depress tab firmly with thumb until it clicks in locked position. Aiming spray away from face, set fogger on newspaper, leave room and close door. After activation, leave room or house at once. Keep area closed for 2 hours before airing out. Open all doors and windows and allow to air for 30 minutes. Repeat spraying in two weeks if necessary.

STORAGE AND DISPOSAL

Storage: Store in a cool dry area inaccessible to children and pets and way from heat, sparks or open flame.

Disposal: Do Not Puncture or Incinerate! If empty: Place in trash or offer for recycling if available. If partly filled: Call your local solid waste agency or 1-800-CLEANUP for disposal instructions.



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IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following conditions, disclaimer of warranties and limitations of liability.

CONDITIONS: The directions for use of this product are believed to be adequate and should be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Valent BioSciences Corporation. All such risks shall be assumed by the user or buyer.

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List No. 73049326 02-0295/R1

